

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

DECEMBER 1, 2009

The following is a summary of the December 1, 2009 Meeting:

- I. Meeting called to order at 9:00 AM by Frank Linkous, Chairman. Members present were Joseph Buchanan, Arvil McConnell, Jr. and Ricky O'Quinn. Gerald Kendrick was absent. Also present were Mary Gibson, Regulatory Boards Administrator and Sharon Pigeon, Senior Assistant Attorney General.**
- II. Opening statement delivered by Frank Linkous, Chairman.**
- III. Motions made and seconded to accept December 1, 2009, meeting agenda and approve November 3, 2009, meeting summary. All members were in favor to approve.**
- IV. Review of Virginia Substance Abuse Cases (Closed Session)**

Of the cases that resulted in hearings, evidence was taken by the Board in closed session, pursuant to Virginia Code §§ 2.2-3711(A)(4) and 45.1-11.35(E). In the closed session, the Board worked out agreements, allowing individuals to return to work conditionally, and took other disciplinary actions including revocation of all certifications held by miners.

V. Open Agenda

Information detailing the use of the substance abuse grant monies will be reviewed at the upcoming January BCME meeting. DM does encourage their providers to make maximum utilization of monies to help those miners in treatment. A problem area exists in providing aid in cases where those miners who are suspended do not contact DM prior to their certifications being revoked out. The Board discussed solutions on informing the miners of potential aid at the time of notification of suspension of certifications by DM or notification by the operator as a part of the documentation of severance. Other suggestions included public service announcement, posting at mine office job sites, and distribution by the providers to the peripheral groups that assist the miners with substance abuse counseling and treatment.

Also, as required by the grant, training is planned for the first quarter of 2010, for DM personnel, the BCME Board and to industry representatives if they wish. Training on complying with and administering HIPPA standards will be conducted, and a session of focused training tailored to DM specific needs by Dr. McMasters.

VI. Next Meeting

Next meeting will be January 5, 2010.

VII. Adjournment

Meeting adjourned at 11:40 AM.